

DEVELOPMENT REVIEW BOARD REPORT



MEETING DATE: March 2, 2006

ITEM NO. _____

CASE NUMBER/
PROJECT NAME

111-DR-2005
Cingular WCF P729A-Shea Boulevard, west of N. 124th Street

LOCATION

South side of Shea Boulevard, west of N. 124th Street

REQUEST

Request approval to locate a Wireless Communications Facility (WCF) on an existing Arizona Public Service utility pole, with associated ground equipment.

OWNER

City of Scottsdale
480-312-4138

ENGINEER

Mactec Engineering

ARCHITECT/
DESIGNER

N / A

APPLICANT/
COORDINATOR

John Rooney
Berry & Damore, LLC
480-682-3907

BACKGROUND

Zoning.

The site is zoned Single Family Residential, Environmentally Sensitive Lands District (R1-43 ESL). The R1-43 ESL District allows single-family lots having 43,000 square feet or more, public schools, churches, electrical substations, and municipal uses. The R1-43 ESL District also allows wireless communications facilities (WCF), including those located on utility poles. This WCF application is a "Type 3" application because it is located within 150 feet of a single-family residential lot. Type 3 WCF applications require approval by the Development Review Board.

Context.

The site is located within the Shea Boulevard right-of-way near the base of an existing 74-foot tall power pole supporting overhead utility lines. It is located approximately 260 feet west of 124th Street on the south side of Shea Boulevard. This site is adjacent to other underground utilities and aboveground utility cabinets, and is approximately 100 feet from the nearest residence.

Adjacent Uses:

- North: Church under construction, zoned R1-43 ESL
- South: Single-family homes, zoned R1-43 ESL
- East: Shea Boulevard, zoned R1-43 ESL
- West: Shea Boulevard, zoned R-5 ESL

APPLICANT'S
PROPOSAL

Applicant's Request.

The applicant is requesting approval for a new wireless communications facility (WCF) on an existing 74-foot tall power pole on Shea Boulevard. Two proposed antennas will be mounted in two sectors (one antenna per sector) 45 feet up the

pole. The equipment cabinets will be located in an underground vault, except for an aboveground electrical meter.

Development Information:

- Existing Use: Electrical utility pole
- Proposed Use: Utility pole with new WCF antennas and equipment
- Project Land Area: 300 square feet
- Antenna heights: 2 antennas at 45 feet

DISCUSSION

The antennas will be snug-mounted on an existing power pole, and an encasement will be mounted to the south side of the pole to conceal all cables. All antennas and the encasement will be painted to match the pole. The equipment cabinets will be located within a new underground vault at the base of the power pole (except for an aboveground electrical meter).

Locating new wireless communications facilities on existing vertical structures, such as existing utility poles, is generally more desirable than constructing new poles or towers. The underground vault particularly helps reduce visual impacts to the community and surroundings, especially along Shea Boulevard because it is designated as a Scenic Corridor. The vault will not interfere with any underground water or sewer lines, or other underground utilities.

The site has been posted with a notification sign and property owners within 750 feet have been notified. The North East Scottsdale Property Owners' Association (NESPOA) submitted a letter supporting this request. No other comments have been received.

STAFF
RECOMMENDATION

Staff recommends approval, subject to the attached stipulations.

STAFF CONTACT(S) Tim Curtis, AICP
Principal Planner
Phone: 480-312-4210
E-mail: tcurtis@ScottsdaleAZ.gov

APPROVED BY

Tim Curtis, AICP
Report Author

Lusia Galav, AICP
Current Planning Director
Phone: 480-312-2506
E-mail: lgalav@scottsdaleAZ.gov

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Zoning Map
4. Site Plan
5. Enlarged Site Plan and Antenna Layout
6. Elevations
7. NESPOA Support Letter
- A. Stipulations/Zoning Ordinance Requirements

12/15/05



Project Narrative

This document will be uploaded to a Case Fact Sheet on the City's web site.

Date: _____

Project No.: 474 - PA 2005

Coordinator: _____

Case No.: 111-DR-2005

Project Name: _____

Project Location: 124 st. & Shea Blvd

Property Details:

☐ Single-Family Residential ☐ Multi-Family Residential ☒ Commercial ☐ Industrial

Current Zoning: N/A Proposed Zoning: N/A

Number of Buildings: N/A Parcel Size: N/A

Gross Floor Area/Total Units: N/A Floor Area Ratio/Density: N/A

Parking Required: N/A Parking Provided: N/A

Setbacks: N - _____ S - _____ E - _____ W - _____

Description of Request: Mount 2 wireless communication facilities
antennae @ 45' to existing APS pole (79') w/ associated equipment to
be vaulted underground in City ROW

Planning and Development Services Department

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

Cingular Wireless

Site Name: APS/124th
Site ID# P729A-01-P2
Site Type: Co-location
124th Street and Shea Boulevard
Scottsdale, AZ 85251

~~SPECIAL USE PERMIT~~ NARRATIVE REPORT

Applicant:

Infranext, Inc.
1702 East Highland, Suite 406
Phoenix, AZ 85016
Phone: 602-522-2655
Fax: 602.522.2660

Representative:

John Rooney
Berry & Damore, LLC
6750 East Camelback Rd., Suite 100
Scottsdale, AZ 85251
Phone: 480.682.3907
Fax: 480.385.2757

Submitted to:

City of Scottsdale
7447 East Indian School Road
Scottsdale, AZ 85016
Phone: 312-4138
Contact: Kevin Sonoda



1. PURPOSE OF APPLICATION

This statement supplements Infranext's application for a ~~conditional use permit~~ ^{DRB APPROVAL} to accommodate the placement of four (4) new antennae on the existing APS utility pole located east of the intersection of 124th Street and Shea Boulevard, in Scottsdale. Infranext, by and through John Rooney of Berry & Damore, LLC, represents Cingular Wireless for the purpose of this application.

By this application, Cingular proposes to mount/co-locate four (4) additional antennae at a height of 45' on an existing 79' APS utility pole and install at its base a small "dog house" with the remainder of its equipment to be vaulted underground.

Cingular requires additional facilities in this area to extend its network coverage and address network capacity limitations. Less than peak network performance, as realized or perceived by the end user, results from a gap in coverage in this area. Also, in addition to limited geographic coverage, the area's growth has strained network capacity. These gaps and network burdens cause dropped or blocked calls, and results in less than optimal customer service.

Increased network usage is being driven by a convergence of increasing residential and commercial subscribers, increasing usage and increasing call length (on average). People now use their wireless phones in a variety of circumstances. In addition to their cars people now use wireless technology almost everywhere, including as part of their offices and in their homes. In fact, the May 13, 2005 edition of The Washington Post estimated approximately six percent (6%) of the population has "cut the cord" in that "[m]illions of college students, young professionals, and increasingly even families are foregoing their traditional phones at home and (have gone wireless)." Ironically, the very offices and homes in which these phones have become indispensable absorb and degrade the radio signals, thereby creating a need for additional base stations and additional cell sites to reach the end user. Additionally, new high speed data technologies require more bits of information to be transmitted within the same bandwidth and along the same network. Since most network systems were conceived and designed for mere voice traffic, more cell sites are required to support these high speed data services. Indeed, the Wall Street Journal (May 25, 2005) confirms the practical effect of lagging infrastructure by reporting that:

[r]oughly one of three cell phone calls has quality problems of some kind last year, according to an online survey by J.D. Power & Associates of 21,700 wireless customers. The result was essentially unchanged from the 2003 survey, the first year it was conducted. Besides dropped calls and an inability to connect, callers constantly experienced interference, echoes and voice distortion.



The same article points out that Cingular Wireless bought AT&T Wireless for \$41 billion, in part, to obtain additional network capacity. This application continues the integration and extension of the two networks for the purpose of improving coverage in the area, a process that will not be finished nationwide until June, 2006 (**Source:** *Wall Street Journal*, May 25, 2005).

Indeed, the problems in maintaining seamless coverage runs not only from increased usage but to the functionality of handset design. The smaller cell phones customers crave contain smaller batteries and internal antennae, which, together, reduce the effective range of their phones. Hence, the demand for ever-smaller cell phones increases the need for additional site installations. The pressures on the infrastructure increase, therefore, as the technology evolves.

In conclusion, Cingular Wireless is respectfully asking the City to permit the augmentation of this existing facility fill a gap in coverage where no other Cingular site exists or is in use. Consequently, Cingular Wireless would respectfully ask that the City consider and grant this CUP for the reason that it is not adverse to the best interests of the City and its residents.

OTHER WIRELESS FACTS OF NOTE:

- More than 182 million Americans are wireless subscribers; by mid-2004 there were 1.5 billion worldwide subscribers.
- At the end of 2004, 40% of 15-19 year olds in the U.S. are wireless subscribers.
- 1.1 *trillion* minutes of use were logged by April 1, 2005.
- More than \$174 billion in capital investment; 175,725 cell sites nationwide.
- 200,000 times each day, someone uses a wireless phone to call for help.
- The wireless industry and the National Center for Missing & Exploited Children® (NCMEC) have officially partnered to launch Wireless AMBER Alerts™, an initiative that will help galvanize 182-million wireless subscribers in the search for an abducted child. Any wireless subscriber capable of receiving text messages, and whose wireless carrier participates in the Wireless AMBER Alerts Initiative, may opt in to receive alerts by registering at www.wirelessamberalerts.org or their wireless carrier's website. Subscribers may designate up to five geographic areas for which they would like to receive Wireless AMBER Alerts.
- Drivers participating in a study by the Automobile Association of America (AAA) listed talking on cell phones as the 8th most common distraction out of 9. Eating, drinking, talking to other passengers, adjusting radio controls, applying make-up, and reading were among the distractive behaviors cited as more prevalent while driving.

2. DESCRIPTION OF PROPOSAL.

As set forth above, Cingular proposes to install four (4) additional antennae on an existing APS utility pole and install an underground vault to house and shelter its equipment.

3. RELATIONSHIP TO SURROUNDING PROPERTIES.

The site itself is located in the Scottsdale's existing right-of-way for Shea Boulevard. The surrounding properties are zoned in the City of Scottsdale as residential (mostly R-43). The property to the north, east and south is all zoned in the County as R-43. Notwithstanding the existence of said residentially zoned and used properties: (a) since this is an existing utility tower, which has been in place for sometime; and since Cingular is not in any way changing the facility's basic size or scope, this proposal will have a *de minimis* impact on the surrounding properties, if at all.

4. LOCATION & ACCESSIBILITY.

At this point access is off of Shea Boulevard. Access to the facilities themselves is limited by the vaulting which provides security and, after construction, traffic about the site is solely for the purpose of periodic maintenance. Generally, this maintenance occurs around one time per month, depending on network reliability and both the manufacturer's and carrier's specifications for maintenance, excluding exigent circumstances which would require heightened attention.

5. CONCLUSION.

As set forth above this property is one upon which Cingular desires to locate its operational equipment- antennae and the electronic equipment necessary to run their wireless system. Cingular's analysis is that their current coverage is less than optimal. Indeed, this application is driven in part by feedback from their customers as to poor coverage areas. Accordingly, Cingular would ask that the City, upon due consideration, grant the CUP. In granting the CUP the City would assist Cingular in meeting the needs of its customers for seamless, uninterrupted and clear wireless communications services and the CUP is not otherwise contrary to the health, safety and welfare of the citizens of Scottsdale. In fact, although single family residences are adjacent to and in the immediate vicinity of the facility, given the longstanding existence of the current tower, it seems hard to imagine how merely adding additional antennae could be deleterious to the surrounding neighborhood, especially given the traffic along Shea Boulevard.

If staff should have any further questions, comments or suggestions, please feel free to call John Rooney at 480.682.3907 for assistance. Cingular thanks the City and its staff for their time and consideration.

EXHIBITS:

Exhibit A: Site Plans

Exhibit B: Photographs.





Cingular WCF P729A - Shea Boulevard,
west of 124th Street

111-DR-2005

ATTACHMENT #2A



Q.S.
28-57

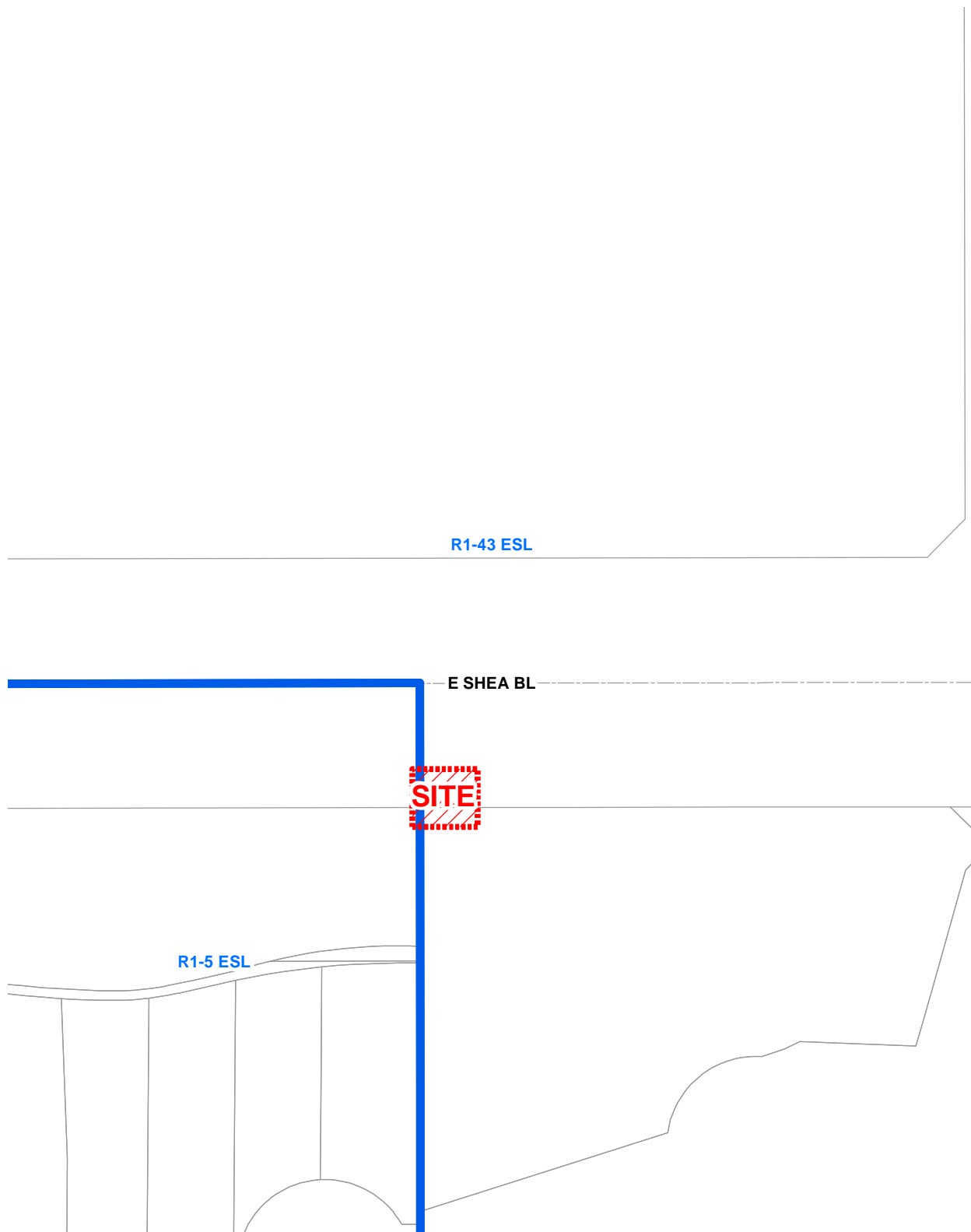
G.I.S. ORTHOPHOTO 2003



Cingular WCF P729A - Shea Boulevard,
west of 124th Street

111-DR-2005

ATTACHMENT #2



111-DR-2005

ATTACHMENT #3

I

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CINCINNATI WARELESS IS STRICTLY PROHIBITED.

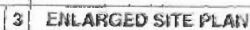
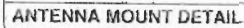


SITE PLAN

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CINGULAR WIRELESS IS STRICTLY PROHIBITED.



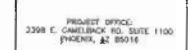
Cost	2
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10/17/05	ISSUED FOR ZONING	OK
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THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO ORIGINAL PURCHASE IS STRICTLY PROHIBITED.

5007



10. *Journal of the American Medical Association*, 273:1225-1226, 1995



1702 E. HIGHLAND AVE., SUITE 406
PHOENIX, AZ 85016

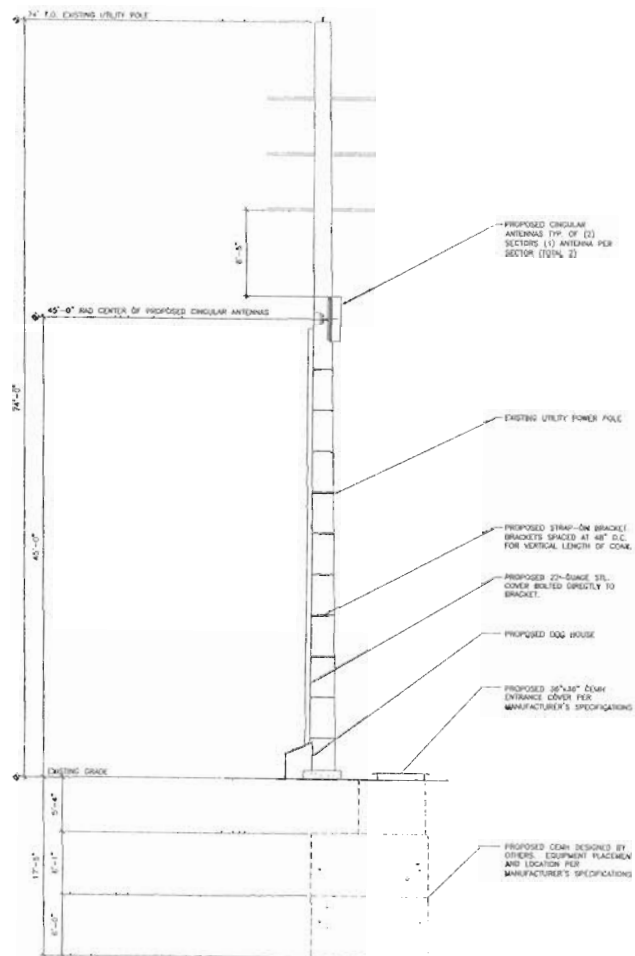


MATEC ENGINEERING AND

CONSULTING, INC.
3630 E. WIER AVE.
PHOENIX, ARIZONA 85040
PHONE: (602) 437-0250
FAX: (602) 437-3675

12/15/05

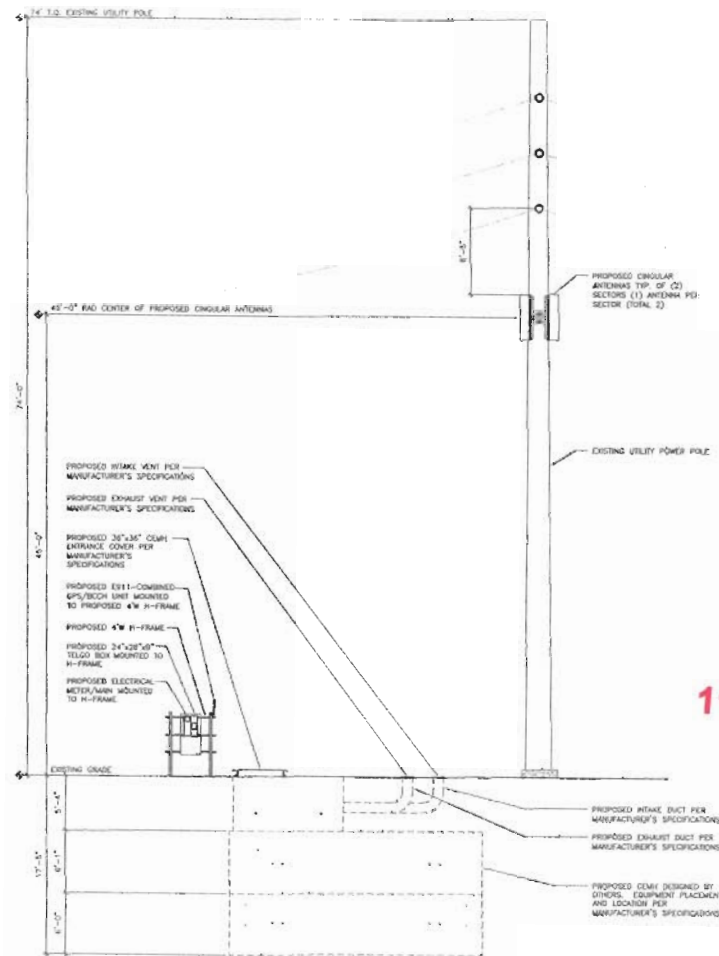
Z-2



NOTE: SCALE IS FOR 24\"/>

EAST ELEVATION

SCALE: 1/8\"/>



NOTE: SCALE IS FOR 24\"/>

2 NORTH ELEVATION

SCALE: 1/8\"/>

DESIGNED BY: EAC			
DRAWN BY: EAC			
CHECKED BY: GR			
APPROVED BY: RAB			
REVISIONS			
NO.	DATE	DESCRIPTION	BY
A 10/17/05 ISSUED FOR ZONING GR			
PROPRIETARY INFORMATION			
THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR REPRODUCTION OTHER THAN THAT WHICH RELATES TO CINGULAR WIRELESS IS STRICTLY PROHIBITED.			
CLIENT:			
PROJECT OFFICE: 3208 E. CHASELBAUGH RD. SUITE 1100 PHOENIX, AZ 85016			
PROJECT MANAGER:			
1702 E. MIDLAND AVE., SUITE 400 PHOENIX, AZ 85016 PHONE: (602) 522-2855 FAX: (602) 522-2868			
CONSULTANT:			
MACTEC ENGINEERING AND CONSULTING, INC. 3030 E. WIER AVE. PHOENIX, ARIZONA 85040 PHONE: (602) 437-0250 FAX: (602) 437-3575			
SHEET NUMBER:			
P729A-01-P5			
SHEET TITLE:			
CO-LOCATION			
SHEET ADDRESS:			
13341 EAST SHEA BLVD. SCOTTSDALE, AZ 85259			
APPL. TYPE:			
ZONING			
SHEET NAME:			
ELEVATIONS			
MACTEC PROJECT NUMBER:			
4974-04-1401.105			
SHEET NUMBER:			
Z-3			

111-DR-2005
12/15/05

111-DR-2005

12/15/05



North East Scottsdale Property Owners Association

11259 East Via Linda Suite 100 PMB 142 Scottsdale, AZ. 85259

Web site: NESPOA.ORG

October 20, 2005

Mr. Tim Curtis
City of Scottsdale
7447 E. Indian School Rd.
Scottsdale, AZ 85251

Reference: 474-PA-2005

The Board of the Northeast Scottsdale Property Owners Association is in receipt of Cingular's plans to add several personal communication antennae to the utility pole located west of the southwest corner of 124th Street and Shea Boulevard in Scottsdale, Arizona. NESPOA has worked to keep Shea Boulevard corridor from commercial development activities that would detrimentally affect our quality of life, property values and the unique character of northeast Scottsdale.

Keeping that in mind, NESPOA has reviewed the plans for this facility and the NESPOA Board of Directors supports the proposed construction design plans for Cingular's communication facility.

Sincerely

Dennis Rodrigues

Dennis Rodrigues
President, NESPOA

CC:
John E. Rooney, Esq.
Berry & Damore, LLC
6750 E. Camelback Rd., Suite 100
Scottsdale, AZ 85251

Mr. Randy Downing
Infranext
1702 E. Highland, Suite 406
Phoenix, AZ 85016

**Stipulations for Case:
Cingular WCF P729A – Shea Blvd., West of 124th St.
Case111-DR-2005**

Unless otherwise stated, the applicant agrees to complete all requirements prior to final plan approval, to the satisfaction of Project Coordinator and the Final Plans staff.

PLANNING

APPLICABLE DOCUMENTS AND PLANS:

DRB Stipulations

1. Except as required by the City Code of Ordinances, Zoning Regulations, Subdivision Regulations, and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. The Wireless Communications Facility and associated equipment shall be in conformance with the Site Plan, Enlarged Site Plan and Antenna Layout, and Elevations plan as submitted by Cingular Wireless with a city received date of 12/15/2005. These stipulations take precedence over the above-referenced site plan and development program. Any proposed significant change, as determined by the Community Development General Manager or designee shall be subject to subsequent public hearings before the Planning Commission and City Council.

SITE DESIGN:

DRB Stipulations

2. The Wireless Communications Facility antenna, mounting brackets and hardware shall be painted to match the color of the existing utility pole, to the satisfaction of City staff.
3. With the final plans submittal, the Provider shall submit a completed Permission for Private Improvements in the Right-of-Way, to the satisfaction of City staff.
4. All existing utilities, including aerial, at grade, and underground shall be shown on all final plans.
5. The provider shall provide details of all utility connections and transition from the pole to the equipment cabinets, to the satisfaction of Final Plans staff.
6. The provider shall submit details showing that all cables and coaxial cable between the pole and the equipment shall be completely underground, to the satisfaction of City staff.
7. With the final plans submittal, the provider shall submit dimensioned and scaled details and/or manufacturer cut sheets of the antennas being used. Any changes, including but not limited to the size and location of the proposed antennas shall be subject to further review and approval through the Planning and Development Services Department.
8. With the final plans submittal, the Provider shall provide details of the underground storage vault, including the size (cu. Ft.), and other dimensions, to the satisfaction of City staff.
9. No microwave dish is being approved as part of case 111-DR-2005.
10. The utility pole standard shall not increase in height beyond its existing height of 74'-0" in height.
11. Access to the site shall be limited to pedestrian access.

Ordinance

- A. Antennas shall not extend more than two (2) feet from the utility pole.

ATTACHMENT A

- B. Prior to construction, the contractor is required to notify Inspection Services by calling 480-391-5750. A #42 Planning Inspection must be conducted prior to commencement of any construction. A Note stating this requirement shall be placed on the construction drawings site plan.
- C. Provider must identify telephone and electrical sources and show detailed connections on construction drawings.
- D. With the final plans submittal, the developer shall provide a detail of the required facility marker or plaque showing conformance with ordinance requirements. The location of the plaque shall be shown on the site plans and elevations.

DRAINAGE AND FLOOD CONTROL:**DRB Stipulations**

- 12. With the Final Plans submittal, the Provider shall submit documentation that off-site runoff shall enter and exit the site as it did historically.
- 13. With the Final Plans submittal, the applicant shall identify on the site plan proposed grade lines and drainage arrows demonstrating how the proposed improvements will not impact adjacent property and address water flows.